

**IN THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY**

**v.**

**Defendant.**

**Case No.:**

CL22-3977

**John R. Owen**  
**Harman Claytor Corrigan & Wellman**  
**P.O. Box 70280**  
**Richmond, VA 23255**

## AMENDED COMPLAINT

3. That the Defendant, **BJ'S RESTAURANT & BREWHOUSE**, does business in

the Commonwealth of Virginia, and is registered with the Virginia State Corporation Commission.

4. That the Defendant occupies the location where the subject accident took place, known as BJ's Restaurant & Brewhouse, located at 13930 Promenade Commons Street, Gainesville, Virginia, 20155, and does business at said location under the name "BJ's Restaurant & Brewhouse."

5. That the accident which is the subject of this Complaint occurred at the above referenced restaurant, which is located in Gainesville, Virginia, and that jurisdiction and venue are therefore proper in this Court.

6. That at all times herein the Plaintiff, **EVERETT CALHOUN**, was a business invitee of the Defendant, at the above referenced location, at 13930 Promenade Commons Street, Gainesville, Virginia, 20155, on May 13, 2021.

7. That, on or about May 13, 2021, the Plaintiff, **EVERETT CALHOUN**, who was a business invitee eating at BJ's Restaurant & Brewhouse, with due care and caution for his own safety, was walking through BJ's Restaurant & Brewhouse near the restroom.

8. That on or about May 13, 2021, the Plaintiff, **EVERETT CALHOUN**, slipped on slippery tile on the floor at the above referenced location, causing him to lose his balance and violently fall causing a concussion, and an injury to his back.

9. That Defendant, **BJ'S RESTAURANT & BREWHOUSE**, and its employees, had exclusive control and management of the area in which the Plaintiff fell, and had a legal duty to the Plaintiff to maintain the store premises with due care and safety to all persons therein, which included the Plaintiff, and to warn of hidden dangers or defects in the premises.

10. That the Defendant, **BJ'S RESTAURANT & BREWHOUSE**, breached said

duties of care by knowingly or negligently allowing a hidden or latent hazardous and/or dangerous condition to exist on the premises, which posed an unreasonable danger to the Plaintiff, and by failing to warn the Plaintiff of the hazardous condition upon the premises, and by the acts of negligence hereinafter alleged.

11. That the BJ's Restaurant & Brewhouse premises, where the Plaintiff slipped and fell, was maintained by the Defendant, carelessly and negligently, such that the Defendant permitted water and other substances to stand and remain on the floor of the premises for a substantial period of time, beyond the time required for discovery, removal, or clean-up thereof.

12. That the Defendant, **BJ'S RESTAURANT & BREWHOUSE**, and their employees, failed to maintain the premises with due care, thereby allowing the water and other substances to remain on the floor of BJ's Restaurant & Brewhouse for a substantial period of time, causing a dangerous and unsafe condition upon the premises.

13. That the Defendant, **BJ'S RESTAURANT & BREWHOUSE**, and their employees, failed to regularly inspect the premises for unsafe conditions, or to clear any spills upon the premises.

14. That the Defendant, **BJ'S RESTAURANT & BREWHOUSE**, failed to inform and warn the Plaintiff, and other persons on the premises, of the dangerous and unsafe condition therein.

15. That the Defendant, **BJ'S RESTAURANT & BREWHOUSE**, knew, or should have known, by the exercise of ordinary and reasonable care, of the unsafe and dangerous condition then and there existing on the premises.

16. That as a direct and proximate result of the carelessness and negligence of the

Defendant, **BJ'S RESTAURANT & BREWHOUSE**, the Plaintiff sustained severe, permanent, and painful injuries.

17. That as a result of the aforementioned injuries, the Plaintiff has in the past and will continue to incur in the future, losses and damages including, but not limited to, reasonable and necessary medical care, attention, and treatment; pain and suffering; hospitalization; prescription medications; and transportation for medical visits.

**WHEREFORE**, the Plaintiff, **EVERETT CALHOUN**, by and through his attorney, prays for judgment against the Defendant, **BJ'S RESTAURANT & BREWHOUSE**, in the principal sum of Five-Hundred-Thousand Dollars (\$500,000.00), plus costs, interest, and such other and further relief as the Court deems appropriate.

**EVERETT CALHOUN**  
By Counsel



---

RICHARD M. REED, ESQUIRE  
Virginia State Bar No. 65860  
VANESSA C. REED, ESQUIRE  
Virginia State Bar No. 46777  
THE REED LAW FIRM, P.L.L.C.  
9200 Church Street, Suite 200  
Manassas, Virginia 20110  
Phone: (703) 530-8810  
Fax: (703) 530-8815  
rreed@reedlawva.com  
vreed@reedlawva.com  
*Counsel for Plaintiff*

**JURY DEMAND**

The Plaintiff demands a jury on all issues herein.

  

---

RICHARD M. REED, ESQUIRE

FILED

2022 JUL 29 PM 4:20

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

*[Handwritten signature]*